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(Note: These are unedited and uncorrected transcripts

Policy Responses
to the Denial and Restriction of Religious Liberty
in the People's Republic of China

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Mr. Chairman, Commissioners, thank you for the invitation to speak to the Commission. I am pleased to share some thoughts with you about how the United States might shape a policy toward restriction and repression of religion in the People's Republic of China. I come in my own name. For some years, I was director of the Office of International Justice and Peace of the United States Catholic Conference and served as the conference's occasional spokesman on the religious situation in China. Since resigning from the conference, I continue my involvement with China issues as a member of organizations interested both in religion in China and of the role of religion in international relations.

I had intended that my remarks would provide a context for your decisions, offer an approach to building an effective policy, and identify some of the concerns of the Catholic Church for the Church in China. Much of what I planned to say continues to be valid, but, on my flight to Los Angeles, I read an item that came by e-mail from a trusted colleague, who has been known for his attention to the positive developments in religious affairs in China. This communication~ however, revealed him to be rather pessimistic in the short term, at least, and because of his usual calm, objective manner was all the more alarming. Accordingly, some of what I have to

say today will be quite different than even I expected.

The Complexity of the Chinese Religious Situation

At the present moment, China policy is a highly contested matter, and religious liberty is close to the center of that debate. In the heat of the moment, however, it is very important that we understand the complexity of the religious situation in China, especially as it relates to the Catholic Church. Recent months have seen increased pressure on the unauthorized or "underground" Catholic Church, with the arrest of bishops, and greater interference in the affairs of the authorized or "above ground" Church, notably the ordination of five bishops under the direction of the Catholic Patriotic Association, January 6.

For the purpose of this testimony, let me cite just a few of the ways in recent events may be viewed as far more complex than some simplistic views may suggest:

- * First, there is only one Catholic Church in China with "two faces". The internal policy of the Church is to affirm that unity in contrast to those who see one side as loyal to Rome and the other as loyal to Beijing.

- * Second, in many places, especially in the cities, there is collaboration between members of the two communities in the one Catholic family, with figures in the authorized Church and its institutions providing safe haven and support to members of the unauthorized community.

- * Third, more than eighty per cent of the bishops of the authorized Church are said to have sought and received retrospective approval from Rome.

- * Fourth, even as the Patriotic Association and the Religious Affairs Bureau put obstacles in the way of establishing relations between China and the Holy See, others in China, including the government, are trying to build bridges. For example, shortly after the Vatican protested the January 6 ordinations, Cardinal Angelo Sodano, the Vatican Secretary of State, also disclosed that informal contacts with the Chinese had been established.

- * Fifth, while some developments are of national significance, it remains true that persecution of underground Christians continues to vary by region, and is particularly strong in a few rural regions, like Hebei.

A Narrow Space for Dissent

The January 6 ordinations themselves were an example of this complexity. While the ordinations were instituted by the Patriotic Association, many clergy, seminarians and lay people utilized the event to exercise the margin of independence they now have in China. Some of the candidates hesitated for a time before consenting to be ordained. , Others begged off pleading excuses that could be understood in Chinese Catholic culture. The acolytes from the national seminary who practiced in preparation for the event did not appear the morning of the

ordinations, and seminarians from another institution had to be hurriedly brought in to substitute. At the conclusion of the ordination, the choir, rather than singing a joyful hymn, as is customary, sang a lamentation. Most important, the ordination rite included an expression of loyalty to the Holy Father, and, as in all Masses, the congregation prayed for his welfare. So, you see, there has been until recently some narrow space to take one's own position, show displeasure for government orchestrated religious activity, and to demonstrate where one's true loyalties lie. The situation has changed; but, make no mistake, there is great distance to go before there is freedom of religion in China in the full sense of the word. The communication I received yesterday suggests for the foreseeable future the picture may be getting much worse.

Recent Developments

Allow me to paraphrase my source's report. Conscious of his own role in promoting positive Catholic engagement with China, this expert's judgement is that the direction of events is definitely not what he and others had hoped. Events since the Epiphany (January 6) episcopal ordinations seem to suggest to him that a well-planned policy for political control of the Chinese Catholic Church and diminishing the possibilities for relations with Rome is being implemented. In particular, he cites five disturbing developments:

- * More episcopal ordinations are scheduled by the Chinese Catholic Patriotic Association in the months ahead;
- * So-called illegal church buildings are being destroyed;
- * The CCPA is being introduced to areas where it never existed before;
- * The CCPA is pressing underground bishops for obedience, not just cooperation;
- * Without consultation of church leaders, dioceses are being re-organized: some recently divided dioceses are being re-united, and others have simply been abolished.

All this is evidence, this expert says, that the CCPA is trying to eliminate underground bishops and bring them under its authority. At the same time, he notes, that there are reasons to doubt that this new confrontation has the backing of all (relevant) officials in China.

Catholic Concerns

What are the principal Catholic concerns about the improvement of the religious situation in China today? First, there must be an end to state repression of religion in China. Here the position of Catholics does not differ from other advocacy groups concerned about human rights and religious liberty in China. Secondly, we would also press for the end to interference in the internal affairs of the Church. While much of the open Church accepts government imposed restrictions as the price of being able to function as a worshipping community, the gentle noose around their neck, held in place by the Religious Affairs Bureau, is a constant reminder their

religious freedom is highly conditioned and tentative. Thirdly, the universal Catholic Church, including the U.S. bishops conference, seeks eventual reconciliation and unity of the two Catholic communities in China and discourages fomenting of tension between them. Finally, Catholics favor the establishment of relations between the Vatican and Beijing in such a fashion that there may be an official presence in Beijing of a representative of the Holy Father. Because there is such a backlog of false information and misunderstanding, a Vatican liaison in China could help dispel myths, construct bridges of understanding, and help the local Church find its own, Chinese, way to be the Catholic Church in China. The acceptance of a Vatican representative in Beijing, I believe, might be part of the diplomatic message the U.S. should communicate to the Chinese government. The normalization of relations with the Holy See and a papal representative to the Chinese Catholic Church could help resolve many of the religious liberty questions now contested in China.

A Problem of Priorities

How should the United States show that it is concerned for religious liberty in China? The International Religious Freedom Act has begun to institutionalize concern for the victims of religious persecution abroad. It has not yet changed the overall thrust of U.S. foreign policy. The U.S. has a problem of priorities. If "CDs" are being pirated, our trade negotiators go in like a SWAT team to defend "intellectual property rights". When evangelical Christians are arrested or Catholic bishops disappear, Ambassador Seiple, has no SWAT team, and I am told, he himself is not even permitted to enter China to discuss the issue.

It is no news that there are religious prisoners in China. When a delegation of the Religious Affairs Bureau visited a couple of years ago, we asked the chairman, Mr. Ye about a handful of cases. Much to the surprise of the veteran China hands at the meeting, Mr. Ye pulled out a small black book containing details about the current status of cases. Even expert China watchers, like John Kamm, were amazed to learn that a formal list of religious prisoners and the disposition of their cases actually existed.

The tools of U.S. diplomacy need to be brought to bear in a broad way to make China's religious prisoners of conscience an undeniable priority in U.S.-China relations. Forming policy to respond to China's violation of religious liberty is not just a matter of utilizing the sanctions available under the International Religious Liberty Act. Rather, it is a matter of making religious liberty a first-level concern of our whole diplomatic effort. Our European friends should be encouraged by all our ambassadors on a daily basis to join the U.S. initiative before the U.N. Human Rights Commission. Trade representatives, and business travelers, under State Department or other government auspices, ought to raise the concerns as their own in private talks with their counterparts. The U.S. ambassador to China should pose a question in his every meeting with the Chinese government, and so should his staff, whatever their formal role, whether military attaché or commercial officer.

The Current Debate: PNTR for China

I can't conclude without commenting about the most controverted decision concerning China this year, namely granting Permanent Normal Trading Relation to China. For Catholics this is a difficult question. Catholic social teaching affirms an option for the poor, a right to development, and a duty in solidarity to aid developing countries. With a quarter of the world's population, perhaps eighty per cent of it, poor, China needs support in its effort to develop. If at all possible, one should not stand in the way of the progress and the prospects of hundreds of millions of Chinese. On the other hand, the Church also teaches that the common good consists in the promotion, safeguarding, and defense of human rights--religious rights yes, but labor rights too, and all rights of every person. Yet, the Chinese officials have again and again made clear they will not enter the world trading system if the price is giving up internal control in any way, whether over religion, labor, political association or open expression. That obstinacy puts Catholics, and all Americans genuinely committed to human rights, between a rock and a hard place. What should the U.S. do?

The way out is not taking a stand on just one vote. It involves, as I said, making human rights, religious and worker liberty, a priority and a goal of the entire U.S.-China relation. Only such an effort can clear the way for granting PNTR and accession to the WTO with a clear conscience. Single gestures of second or third-level priority, like the resolution at the UN Human Rights Commission, are simply not enough to justify generously rewarding bad behavior.

Since 1990, each time the MFN renewal has come up, the United States Catholic Conference has expressed its concerns about human rights and religious freedom. In 1991, it called for a "time-limited certification conditioned on significant improvement in human rights and freedom of religion, which, at the very least, should include the early release of all imprisoned religious leaders and political prisoners." In subsequent years, accepting the insuperable force of the Administration's determination to renew MFN, the Conference urged U.S. insistence "upon conditioning that status upon China's adhering to norms governing human rights and religious liberty." While the conference has not yet taken a public stand on Permanent Normal Trading Relation for China, I believe it is likely to adopt a similar position on Permanent Trading Status. Why?

As I have said, the fundamental issue is one of priorities. If the Administration were able to show it was making a full-court press on religious liberty, then it might not be necessary to condition China's trading relation with the U.S. on review of its human rights and religious liberty performance. But, as long as trade remains the priority for both sides, it is the only place where meaningful leverage can be had.

Why not allow trade to erode resistance to change over time? The positive linkage of trade with human rights is a thesis that remains to be proved? Where would the eastern European economies be if we had not pushed for human, religious and labor rights? Did we not pursue human rights, the freedom of the Church and the rescue of Soviet Jewry independent of improvements in trade? Is it not true that the Human Rights "Basket" of the Helsinki Accords was a primary factor in tearing down the Iron Curtain and demolishing the Berlin Wall? Why should China be an exception? Lacking a Helsinki Accord for China or a determined diplomatic offensive on religious liberty there, how can we not condition granting China trade advantages on its demonstrating progress on human rights and religious freedom?

Let me add that advancing the religious liberty agenda does not mean unnecessarily offending Chinese sensibilities. The ways of American activism and the subtleties of Chinese culture do not go easily together. But, as we advance the agenda of religious liberty we should be ready to seek out and utilize approaches that are less confrontational for the Chinese. I suppose its very Jesuitical to put it this way, but after all Matteo Ricci and his Jesuit companions were the first and most successful Europeans to enter Chinese culture. So, if to make progress on human rights, it takes long nights of banqueting, banquet; if it takes working through intermediaries to free religious prisoners, use them; if it takes long hours of listening to advance one right, then let us listen. If it means sounding deferential, but the message on religious freedom is clear, act deferential. For as Gandhi taught us all, to win in a moral struggle, the adversary must not only save face, he must feel himself a winner as well.

As the passage I read from my colleague indicated, this is a time of turmoil for Church-State relations in China. Though the situation is complex, the general direction of events seems to be negative. Today's conditions require a firm and consistent policy toward religious on the part of the United States Government as a whole: the White House, the State Department, the Defense Department, the Commerce Department and the U.S. Trade Representative. Experience has shown that nothing short of a strong, concerted effort has hope of deterring the offending elements of the Chinese government from their present course.

Mr. Chairman, Members of the Commission, thank you very much for listening. I shall be pleased at the end of the panel to take your questions.

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